

REMARKS

Status of the Claims

Claims 61-97 are pending, with claims 61, 69, 78, and 86 being independent. Applicants note that in this response no claims are being amended, cancelled, or added. The Listing of Claims is provided for the convenience of the Examiner.

Applicants respectfully request the Examiner to reconsider and withdraw the outstanding rejections in view of the following remarks.

Double Patenting

In the Official Action, claims 61-97 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 17-26 and 54-83 of copending Application No. 10/764,407. Claims 61-97 of the present application are also provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-64 of copending Application No. 11/013,638. Claims 61-97 are also provisionally rejected on the ground on nonstatutory obviousness-type double patenting as being unpatentable over claims 17-24 of copending Application No. 11/266,313.

Applicants believe that the present claims are patentable over the claims of the '407, '638 and '313 Applications. However, to facilitate allowable subject matter, attached are terminal disclaimers over the the '407, '638 and '313 Applications.

The filing of a Terminal Disclaimer is not to be construed as an admission of the propriety of the rejection on obvious double patenting. *Quad Environmental Technologies Corp. v. Union Sanitary District*, 946 F.2d 870, 20 USPQ2d 1392 (Fed. Cir. 1991).

Conclusion

Without conceding the propriety of the rejections, Applicants submit herewith Terminal Disclaimers over the '407, '638 and '313 Applications.

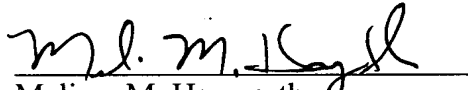
In view of the foregoing remarks and the attached Terminal Disclaimers, reconsideration of the claims and allowance of the subject application is earnestly solicited. The Examiner is invited to contact the undersigned at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted,

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